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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

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7 ME2 PRODUCTIONS, INC.,

Case No. 2:16-CV-2783 JCM (NJK)

8 Plaintiff(s),

ORDE

9 v.

10 TONIKO HIGGINS, et al.,

11 Defendant(s).

12  
13 Presently before the court is Magistrate Judge Koppe's report and recommendation  
14 following an order to show cause as to why the defendants should not be severed and all but the  
15 first-named defendant dismissed. (ECF No. 23). Plaintiff ME2 Productions, Inc., filed an  
16 objection. (ECF No. 45). Defendants have not filed a response, and the time to do so has since  
17 passed.

18 Also before the court is plaintiff's motion for entry of clerk's default against defendants  
19 John Robles, Valerie Arkuson, Thomas Walkers, Kisha Lyonssoenaire, Jalee Arnone, Gustavo  
20 Perez, Rafael Cerceda, Troy Simon, and Knicole Porter. (ECF No. 47).

21 Also before the court is plaintiff's motion for entry of clerk's default against defendants  
22 Toniko Higgins, Adrian Nelson, Raashan Toomey, Marc Pupo, Ricardo Paredes, Justino Diaz,  
23 Gena Richardson, Santerren Ward, and Ramon Luevano. (ECF No. 51).

24 The present case is one of many filed by plaintiff against numerous Doe defendants.  
25 Exhibit 1 to ME2's objection contains its memorandum and points of authority to support its  
26 objections to the instant report and recommendation. (ECF No. 45-1). The exhibit is a carbon  
27 copy of plaintiff's objections in the case of *ME2 Productions, Inc. v. Bayu*, case no. 2:17-cv-00724-  
28 JCM-NJK. The court issued an order in *Bayu* that adopted Magistrate Judge Koppe's report and

1 recommendation in that case and severed all but the first-named defendant. For the same reasons,  
2 the court finds severance here is appropriate for all but the first-named defendant that is still a party  
3 to the action.

4 Plaintiff's second motion for entry of clerk's default requests entries of default against  
5 defendants Higgins, Nelson, Toomey, Pupo, Paredes, Diaz, Richardson, Ward, and Luevano.  
6 (ECF No. 51). Plaintiff's claims against defendants Nelson, Toomey, Pupo, Paredes, Diaz,  
7 Richardson, Ward, and Luevano will be severed from the instant action, and therefore the court  
8 will deny plaintiff's motion as it relates to these defendants. However, the court will grant  
9 plaintiff's motion as it relates to defendant Higgins. Plaintiff effectuated service on Higgins on  
10 June 20, 2017, which gave Higgins until July 11, 2017 to answer plaintiff's complaint. (ECF No.  
11 36). Higgins is yet to file a response. As the time for doing so has passed, the court will grant  
12 plaintiff's motion for entry of clerk's default as to defendant Higgins.

13 Accordingly,

14 IT IS HEREBY ORDERED that Magistrate Judge Koppe's report and recommendation  
15 (ECF No. 23) be, and the same hereby is, ADOPTED in part and REJECTED in part, consistent  
16 with the foregoing.

17 IT IS FURTHER ORDERED that all defendants except for Toniko Higgins be, and the  
18 same hereby are, dismissed without prejudice.

19 IT IS FURTHER ORDERED that plaintiff's motion for entry of clerk's default against  
20 defendants Robles, Arkuson, Walkers, Lyonssoenaire, Arnone, Perez, Cerceda, Simon, and Porter  
21 (ECF No. 47) be, and the same hereby is, DENIED as moot.

22 IT IS FURTHER ORDERED that plaintiff's motion for entry of clerk's default against  
23 defendants Higgins, Nelson, Toomey, Pupo, Paredes, Diaz, Richardson, Ward, and Luevano (ECF  
24 No. 51) be, and the same hereby is, GRANTED in part and DENIED in part, consistent with the  
25 foregoing. The clerk shall enter default against defendant Higgins.

26 DATED November 15, 2017.

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28 UNITED STATES DISTRICT JUDGE